

SB3337



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3337

Introduced 2/14/2014, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

510 ILCS 70/2.01i new

510 ILCS 70/2.01j new

510 ILCS 70/3

from Ch. 8, par. 703

Amends the Humane Care for Animals Act. Provides that each owner shall provide for each of his or her animals adequate shelter and adequate space. Defines "adequate shelter" and "adequate space".

LRB098 19615 MGM 54811 b

A BILL FOR

1 AN ACT concerning animals.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Humane Care for Animals Act is amended by
5 adding Sections 2.01i and 2.01j and changing Section 3 and as
6 follows:

7 (510 ILCS 70/2.01i new)

8 Sec. 2.01i. Adequate shelter. "Adequate shelter" means a
9 shelter that (1) is suitable for the species, age, condition,
10 size, and type of each animal, (2) provides adequate space for
11 each animal, (3) is safe and protects each animal from injury,
12 rain, sleet, snow, hail, direct sunlight, the adverse effects
13 of heat or cold, physical suffering, and impairment of health,
14 (4) is properly lighted, (5) is properly cleaned, (6) enables
15 each animal to be clean and dry, except when detrimental to the
16 species, and (7) for dogs and cats, provides a solid surface,
17 resting platform, pad, floormat, or similar device that is
18 large enough for the animal to lie on in a normal manner and
19 can be maintained in a sanitary manner. "Adequate shelter" does
20 not include a shelter whose wire, grid, or slat floors (1)
21 allow an animal's feet to pass through the openings, (2) sag
22 under an animal's weight, or (3) otherwise do not protect an
23 animal's feet or toes from injury.

1 (510 ILCS 70/2.01j new)

2 Sec. 2.01j. Adequate space. "Adequate space" means
3 sufficient space to allow each animal to (1) easily stand, sit,
4 lie, turn about, and make all other normal body movements in a
5 comfortable and normal position for the animal and (2) interact
6 safely with other animals in the enclosure.

7 (510 ILCS 70/3) (from Ch. 8, par. 703)

8 Sec. 3. Owner's duties.

9 (a) Each owner shall provide for each of his or her
10 animals:

11 (1) a sufficient quantity of good quality, wholesome
12 food and water;

13 (2) adequate shelter, adequate space, and protection
14 from the weather;

15 (3) veterinary care when needed to prevent suffering;
16 and

17 (4) humane care and treatment.

18 (b) To lawfully tether a dog outdoors, an owner must ensure
19 that the dog:

20 (1) does not suffer from a condition that is known, by
21 that person, to be exacerbated by tethering;

22 (2) is tethered in a manner that will prevent it from
23 becoming entangled with other tethered dogs;

24 (3) is not tethered with a lead that (i) exceeds

1 one-eighth of the dog's body weight or (ii) is a tow chain
2 or a log chain;

3 (4) is tethered with a lead that measures, when rounded
4 to the nearest whole foot, at least 10 feet in length;

5 (5) is tethered with a properly fitting harness or
6 collar other than the lead or a pinch, prong, or choke-type
7 collar; and

8 (6) is not tethered in a manner that will allow it to
9 reach within the property of another person, a public
10 walkway, or a road.

11 (c) Subsection (b) of this Section shall not be construed
12 to prohibit:

13 (1) a person from walking a dog with a hand-held leash;

14 (2) conduct that is directly related to the cultivating
15 of agricultural products, including shepherding or herding
16 cattle or livestock, if the restraint is reasonably
17 necessary for the safety of the dog;

18 (3) the tethering of a dog while at an organized and
19 lawful animal function, such as hunting, obedience
20 training, performance and conformance events, or law
21 enforcement training, or while in the pursuit of working or
22 competing in those endeavors; or

23 (4) a dog restrained in compliance with the
24 requirements of a camping or recreational area as defined
25 by a federal, State, or local authority or jurisdiction.

26 (d) A person convicted of violating subsection (a) of this

1 Section is guilty of a Class B misdemeanor. A second or
2 subsequent violation of subsection (a) of this Section is a
3 Class 4 felony with every day that a violation continues
4 constituting a separate offense. In addition to any other
5 penalty provided by law, upon conviction for violating
6 subsection (a) of this Section, the court may order the
7 convicted person to undergo a psychological or psychiatric
8 evaluation and to undergo any treatment at the convicted
9 person's expense that the court determines to be appropriate
10 after due consideration of the evaluation. If the convicted
11 person is a juvenile or a companion animal hoarder, the court
12 must order the convicted person to undergo a psychological or
13 psychiatric evaluation and to undergo treatment that the court
14 determines to be appropriate after due consideration of the
15 evaluation.

16 (e) A person convicted of violating subsection (b) of this
17 Section is guilty of a Class B misdemeanor.

18 (f) As used in this Section, "tether" means to restrain by
19 tying to an object or structure, including, without limitation,
20 a house, tree, fence, post, garage, shed, or clothes line at a
21 person's residence or business, by any means, including,
22 without limitation, a chain, rope, cord, leash, or running
23 line.

24 (Source: P.A. 98-101, eff. 1-1-14.)